CERTIFICATE OF MAILING

I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on this 31st day of November, 2001.

Typed or Printed name of person signing this certificate:
Wendy A. Frick

Signed: Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Kaumaya, et al.

Serial No.: 09/632,036

Filed: August 3, 2000

For: **POLYPEPTIDES AND POLYNUCLEOTIDES FOR ENHANCING IMMUNE REACTIVITY TO HER-2 PROTEIN**

Examiner: Hunt, J.

Art Unit: 1642

Attorney Docket No.: 18525/04011

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF STATEMENT REGARDING SEQUENCE LISTING

Sir:

Transmitted herewith are the following:

1. Statement Regarding Sequence Listing;
2. Paper Copy of Sequence Listing;
3. Computer Readable Form (CRF) of Sequence Listing; and
4. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: November 21, 2001

By: Pamela A. Docherty

Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Kaumaya, et al.

Examiner: Hunt, J.

Serial No.: 09/632,036

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Attorney Docket No.: 18525/04011

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT REGARDING SEQUENCE LISTING

Dear Sir:

In response to the Office communication mailed October 23, 2001, applicants respectfully submit the enclosed paper copy of a substitute Sequence Listing, and a copy of the same Sequence Listing in computer readable form. The content of the paper copy and the computer readable copy of the Sequence Listing are the same. The sequences contained in the substitute Sequence Listing are the same as those in the original Sequence Listing and the application as filed. Thus, the substitute Sequence Listing adds no new matter to the application. Applicants respectfully request entry of the substitute Sequence Listing into the case.

Respectfully submitted,

Dated: November 21, 2001

Pamela A. Docherty, Reg. No. 40,561
(216) 622-8416

SEQUENCE LISTING

<110> Kaumaya, Pravin
Stevens, Vernon
Triozzi, Pierre

<120> Polypeptides and Polynucleotides for Enhancing Immune Reactivity to HER-2 Proteins

<130> 18525/04011

<140> 09/632,036
<141> 2000-08-03

<150> 60/146,869
<151> 1999-08-03

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Ile Ile Ser Ala Val Val Gly Ile Leu
1 5

Application No.: 09/632,036

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- [ ] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [ ] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [X] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [ ] 7. Other: _____

Applicant Must Provide:

- [X] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [X] An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
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